

REMARKS

Status of the Claims

Claims 51 and 53-58 are pending in the application, with Claims 51, 54, 57 and 58 being independent. Claim 52 has been canceled without prejudice to or disclaimer of the subject matter recited therein. Claims 51, 54, 57 and 58 have been amended. Support for the claim changes can be found in the original disclosure, and therefore no new matter has been added.

Requested Action

Applicant respectfully requests the Examiner to reconsider and withdraw the outstanding rejections in view of the foregoing amendments and the following remarks.

Claim Rejections

Claims 51, 54, 57 and 58 have been rejected under 35 U.S.C. § 103(a) as being unpatentable over U.S. Patent No. 6,618,553 (Shiohara) in view of U.S. Patent No. 5,442,687 (Miller). Claims 52 and 55 have been rejected under 35 U.S.C. § 103(a) as being unpatentable over Shiohara in view of Miller and U.S. Patent No. 6,930,717 (Kobayashi). Claims 53 and 56 have been rejected under 35 U.S.C. § 103(a) as being unpatentable over Shiohara in view of Miller and U.S. Patent No. 6,563,542 (Hatakenaka).

In response, while not conceding the propriety of the rejections, independent Claims 51, 54, 57 and 58 have been amended. Applicant submits that as amended, these claims are allowable for the following reasons.

Independent Claim 51 relates to an image pickup apparatus comprising an image pickup unit for obtaining a digital image, an interface for connecting to a storage medium which stores the digital image obtained by the image pickup unit, a reproducing unit for reading out the digital image stored in the storage medium via the interface and causing a display apparatus to display the read-out image, an operation unit for effecting a changeover operation of an image to be displayed on the display apparatus, and a single manually operable designating unit for designating the image displayed on the display apparatus as a print subject for an external printer communicating with the image pickup apparatus. In addition, Claim 51 recites a display control unit for causing the display apparatus to display a print setting screen for displaying a print condition determined in advance, in accordance with a first designation provided to the single manually operable designating unit when the image pickup apparatus is communicating with the external printer and is in a state in which an image to be displayed on the display apparatus is changeable in accordance with an operation of the operation unit, and a printing control unit for instructing the external printer to print the image displayed by the display apparatus, in response to a second designation provided to the single manually operable designating unit successively to the first designation, without requiring any other manual operation performed on the image pickup apparatus between the first and second.

Claim 51 has been amended to recite that the display control unit displays the print setting screen in accordance with the first designation to display a menu for instructing execution of a printing operation to the external printer, as a default menu selected in the displayed print setting screen, the print setting screen being arranged so as to display the menu and another menu. Claim 51 has also been amended to recite the print

condition displayed in the print setting screen can be selected by operation of an operation member different from the single manually operable designating unit, while the display control unit is causing the display apparatus to display the print setting screen.

By this arrangement, since a print setting screen (*e.g.*, the non-limiting example of Fig.12) can be displayed in accordance with a first designation (*e.g.*, the non-limiting example of a “set” button) to display a print condition and also to display the menu for instructing the executing of printing by the external printer, as a default menu selected in the print setting screen, a user can recognize that printing will be executed only if the user makes the second designation without requiring any other manual operation between the first and second designations.

In contrast, the citations to Shiohara, Miller, and Kobayashi are not understood to disclose or suggest a display control unit that displays a print setting screen in accordance with a first designation to display a menu for instructing execution of a printing operation to an external printer, as a default menu selected in the displayed print setting screen, the print setting screen being arranged so as to display the menu and another menu, or a printing control unit for instructing the external printer to print the image displayed by the display apparatus, in response to a second designation provided to a single manually operable designating unit successively to the first designation, without requiring any other manual operation performed on the image pickup apparatus between the first and second, as recited by amended Claim 51.

Rather, the citation cited to Kobayashi, which was cited to show a default menu, is understood disclose switching between an image reproduction mode and print condition setting (SETUP) using a mode dial 20. Specifically, when a user wishes to print an image,

the mode dial 20 is understood to be set to the reproduction mode to display a frame image the user wishes to print on a liquid crystal display 19, and then a print key 24 is understood to be operated while the image is being displayed on the display 19. That is, printing is understood to be executed by one operation of the print key after the image to be printed is reproduced (selected) without displaying a print condition setting. In this connection, it should be noted that the print setting screen, which is referred to by the Examiner in the Office Action, is understood to be included in a SETUP menu screen which is displayed at a timing unrelated to print instruction processing (column 4, lines 61-67, and column 5, lines 1-7). In addition, the citation to Kobayashi is understood to teach a “default print number 1” (*e.g.*, column 5, line 53), but the menu (Fig.5B) is understood to fail to include a print execution menu which can be selected as a default, so that this reference is not understood to instruct the execution of printing from a print condition setting menu.

And the patent to Miller, which was cited to show printing without requiring any other manual operation performed between first and second designations, is understood to merely show a facsimile apparatus that displays a “PRINT REPORT (1-4)” and “1: LAST TRANSACTION” (column 4, lines 42-45) when a report key 74 is depressed first, and prints the last transmission report by depressing the report key 74 a second time. However, because this reference is directed to a facsimile apparatus, it is understood to be silent on relationship between reproduction, the selection of an image to be printed, and a print setting screen for instructing the execution of printing such an image by a printer. That is, the patent to Miller is not understood to disclose or suggest a reproduction operation, the selection of the image to be printed, and the setting of a print condition of the image by first and second designations of the report key 74. As a result, the Office has not cited any

art providing the motivation to for a printing control unit to instruct an external printer to print an image displayed by a display apparatus, in response to a second designation provided to a single manually operable designating unit successively to a first designation, without requiring any other manual operation performed on the image pickup apparatus between the first and second, as recited by amended Claim 51.

For these reasons, Applicant submits that the Office has not satisfied its burden of proof to establish a prima facie case of obviousness against amended Claim 51. Therefore, Applicant respectfully requests that the rejection of Claim 51 be withdrawn.

And because independent Claims 54, 57 and 58 are corresponding method, program and medium claims, respectively, and have been now amended in a similar manner to the amended Claim 51, the Office has not satisfied its burden of proof to establish a prima facie case of obviousness against amended Claims 54, 57, and 58. Therefore, Applicant respectfully requests that the rejection of Claims 54, 57, and 58 be withdrawn.

The dependent claims are also submitted to be patentable, due to their dependency from the independent base claims, as well as due to additional features that are recited. Individual consideration of the dependent claims is respectfully solicited.

Applicant respectfully requests that this Amendment After Final be entered. This Amendment was not presented earlier as it was earnestly believed that the claims on file would be found allowable. Given the Examiner's familiarity with the application, Applicant believes that a full understanding and consideration of this Amendment would not require undue time or effort by the Examiner, particularly because the amendments to the independent claims consist of adding the features of dependent Claim 52 thereto .

Moreover, Applicant submits that this Amendment places the application in condition for allowance. Accordingly, entry of this Amendment is believed to be appropriate and such entry is respectfully requested.

Conclusion

In view of the above amendments and remarks, the application is now in allowable form and entry of this Amendment is proper. Therefore, early passage to issue is respectfully solicited.

Any fee required in connection with this paper should be charged to Deposit Account No. 06-1205.

Applicant's undersigned attorney may be reached in our Washington, D.C. office by telephone at (202) 530-1010. All correspondence should continue to be directed to our below-listed address.

Respectfully submitted,

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